

LaPorte County makes accessibility upgrades

LaPorte County, Ind., is making several accessibility improvements to various buildings, parks, polling locations and other areas, following an agreement made with the Department of Justice (DOJ) late last year. The agreement came after the DOJ received complaints about the county's compliance with accessibility standards, which led to the department's investigation of various sites around the county.

The investigation in LaPorte County was part of the DOJ's Project Civic Access, a wide-ranging effort to ensure counties, cities, towns and villages comply with the accessibility standards in the Americans with Disabilities Act (ADA). The project seeks to eliminate physical and communication barriers that prevent people with disabilities from participating fully in their communities. Since the project began in 1999, investigations have been conducted in all 50 states, as well as in Washington, D.C., and Puerto Rico, resulting in 175 agreements across 161 localities.

As part of its agreement with the DOJ, LaPorte County is:

- ▶ Modifying its buildings and parks to make parking, entrances, routes, restrooms, courtrooms, assembly areas, service counters and drinking fountains accessible.
- ▶ Providing auxiliary aids for effective communication with people who have sensory impairments.
- ▶ Equipping 911 call stations with text telephones (TTY) or equivalent computer technology.
- ▶ Providing accessible polling places.
- ▶ Modifying county sidewalks and curb ramps to provide accessible routes.
- ▶ Ensuring the county's official Web site is accessible to people with disabilities, including people who have visual impairments.

Lula Gultry, LaPorte County resident and advocate for people with disabilities, is particularly interested in seeing accessibility upgrades in the county's courthouses. As part of its investigation, the DOJ surveyed the county's circuit and superior courthouses to address accessibility issues in both facilities. According to the agreement, LaPorte County has already made modifications to the ramps and walkway connecting the circuit courthouse and the county complex.

Other Indiana localities have also reached agreements with the DOJ as part of Project Civic Access, including Allen County and the cities of New Albany, Jeffersonville and Gary.

Allen County, which reached its agreement in July 2005, was required to make a number of improvements, including training county employees to use the Indiana Relay Service and updating its Web site to ensure content is accessible.

Gary also entered an agreement with the DOJ in July 2005. Among its many modifications, the city was required to amend its employment policies to comply with regulations of the U.S. Equal Employment Opportunity Commission, implementing Title I of the ADA.

In August 2004, Jeffersonville reached an agreement that included a wide range of accessibility adjustments. The city was required to make many upgrades to its emergency management procedures, including ensuring that third parties, such as the American Red Cross, comply with accessibility standards when acting on behalf of the city during an emergency.

The DOJ reached an agreement with New Albany in June 2001, requiring the city to make adjustments to its city-county building, including making entrances accessible and adding signage. The city also updated various parks to ensure that parking, restroom facilities and other elements are accessible.

To learn more about Project Civic Access, visit www.ada.gov/civicac.htm. ●

Proposed bill would prevent physical restraints and seclusion

In early December 2009, The Preventing Harmful Restraint and Seclusion in Schools Act was introduced to Congress to prevent the use of inappropriate physical restraints and seclusion on students with disabilities.

Among other provisions, the bill would ban restraints that restrict air flow to the lungs; require training for school personnel using physical restraints and seclusions; and require parents to be notified immediately after each use of physical restraint or seclusion.

The act was introduced to the House of Representatives by Rep. George Miller (D-CA) and Rep. Cathy McMorris Rodgers (R-WA) as HR 4247. At the time of printing this newsletter, the bill had been referred to the Committee on Education and Labor.

Sen. Chris Dodd (D-CT) introduced the legislation in the Senate as S 2860. At time of print, it had been referred to the Committee on Health, Education, Labor and Pensions.

The Indiana Protection and Advocacy Services (IPAS) commissioned a study that collected and analyzed policies related to restraint and seclusion in Indiana schools. The results of the study will help determine the most consistent and effective policies and practices for Indiana.

To learn more about this study, visit www.in.gov/ipas/2760.htm.

Voting, other issues tackled in legislative session

In the Indiana General Assembly's current session, lawmakers have introduced several pieces of legislation related to important topics for people with disabilities. One key piece of legislation is House Bill (HB) 1109 — Early voting for voters with disabilities. This bill requires that locations where a voter is entitled to cast an absentee ballot before Election Day meet the same accessibility requirements that apply to a precinct polling place. The bill passed the House by a 97-0 vote and has been referred to the Senate.

Greg Meyer, an Indianapolis advocate for people with disabilities, worked with Rep. Kreg Battles (D), Rep. Kathy K. Richardson (R) and Rep. John Barnes (D) to introduce the bill.

"HB 1109 will make early voting a level playing field, giving people with disabilities the same rights and accessibility as people without disabilities," Meyer said.

Other relevant bills and resolutions, listed with their statuses at the time this newsletter went to press, are:

HB 1114: Health coverage for certain disabled officers. Requires local government units that employ individuals as police

officers, county police officers or sheriffs, who acquire a disability in the line of duty, to provide and pay for certain health coverage benefits for the individual and the individual's spouse and children. This bill has been referred to the Committee on Veteran Affairs and Public Safety.

SCR 0004: Supports the campaign "Real Jobs: It's Everybody's Business," sponsored by the Alliance for Full Participation (AFP). The campaign's ultimate goal is to double the employment rate for people with disabilities by 2015 to 44 percent. This resolution has been referred to the House.

SCR 0006: Encourages the Division of Mental Health and Addiction to seek funding for clubhouse programs from another source after funding by Medicaid expires July 1. Clubhouse programs provide employment-assistance services to individuals with mental illnesses. The resolution has been referred to the House.

To learn more about these or other legislation, visit www.in.gov/legislative. Click on "Bills and Resolutions," select "Complete Information for All Bills" from the drop-down menu, then type the bill number (not including HB or SB) or appropriate key words into the search box. ●

EEOC helps prevent genetic discrimination by employers

In the first legislative expansion of its jurisdiction since passage of the Americans with Disabilities Act (ADA) in 1990, the U.S. Equal Employment Opportunity Commission (EEOC) announced last November that it will enforce Title II of the Genetic Information Nondiscrimination Act (GINA).

GINA, signed into law in May 2008, prohibits discrimination by health insurers and employers based on individuals' genetic information, including the results of genetic tests to determine whether someone is at increased risk of acquiring a condition, as well as an individual's family medical history.

According to the EEOC's Web site, Title II makes it illegal to discriminate because of genetic information in any aspect of employment: hiring, firing, pay, job

assignments, promotions, layoffs, training, fringe benefits or any other term or condition of employment. Under GINA, it is also illegal to fire, demote, harass or otherwise "retaliate" against an applicant or employee for filing a charge of discrimination, participating in a discrimination proceeding or opposing discrimination.

Andrew Imparato, president and CEO for the American Association for People with Disabilities (AAPD) and keynote speaker at the 2009 Conference for People with Disabilities in Indianapolis, said the enforcement of Title II of GINA will help restore rights for people with disabilities.

To learn more, visit www.eeoc.gov/laws/types/genetic.cfm. ●

Medicaid spending, enrollment increases due to recession

The economic recession has taken a toll on Medicaid programs nationwide, according to a recent survey of Medicaid officials across all 50 states and the District of Columbia. Conducted by the Kaiser Family Foundation's Commission on Medicaid and the Uninsured, the ninth-annual survey found the number of people on Medicaid and states' spending on the program are climbing sharply as a result of the recession.

According to the survey report, titled "The Crunch Continues: Medicaid Spending, Coverage and Policy in the Midst of a Recession," the increase in total Medicaid spending averaged 7.9 percent across all states in fiscal year (FY) 2009. This is the greatest Medicaid spending increase in six years and is higher than the projected 5.8 percent rate. The majority of Medicaid directors attributed the growth to higher-than-expected increases in caseload due to the recession. Enrollment increases averaged 5.4 percent in FY 2009, significantly higher than the projected rate of 3.6 percent.

Medicaid enrollment and spending increases occur during economic recessions mostly due to an increase in the unemployment rate, which climbed to 9.7 percent nationwide in August 2009. As individuals lose their employer-sponsored insurance plans and their incomes decline, they must turn to federal programs for health care coverage. States project that Medicaid enrollment growth will continue to accelerate in FY 2010, increasing on average by 6.6 percent above FY 2009 levels.

The survey also found that Medicaid currently serves 60 million low-income individuals nationwide, including nearly 30 million children, 15 million adults and 14 million people who are elderly and/or have disabilities. The program accounts for about one-sixth of all health care spending in the U.S., and it's the largest source of federal revenue provided to the states. Based on initial legislative appropriations, Medicaid spending nationwide is expected to increase by an average of at least 6.3 percent in FY 2010.

The American Recovery and Reinvestment Act (ARRA), or "stimulus package," proved to be overwhelmingly helpful, providing about \$87 billion total to states through enhanced

federal Medicaid matching funds from Oct. 1, 2008, through Dec. 31, 2010. These funds are helping states address both overall budget and Medicaid budget shortfalls; avoid cuts to providers, benefits and eligibility; and support increased Medicaid enrollment.

Additional results from the survey include:

- ▶ Nearly every state implemented at least one new Medicaid policy to control spending in FY 2009 and FY 2010. Like most states, Indiana's cost-containment actions included provider payment adjustments and pharmacy controls, but did not include benefit reductions, eligibility cuts or co-pay increases.
- ▶ In FY 2009, 32 states — including Indiana — took action to expand long-term care services, primarily home- and community-based services (HCBS) programs, and 35 states — also including Indiana — planned expansions for FY 2010. However, Indiana is also one of 12 states planning some cost constraints to long-term care for FY 2010.
- ▶ Thirty-five states in both FY 2009 and FY 2010 implemented cost-containment initiatives in the area of prescription drugs. Indiana and one other state, Ohio, carved pharmacy benefits out of their managed care contracts, meaning that prescription drug coverage responsibilities were transferred from managed care organizations to the states.
- ▶ As part of the survey, Indiana reported it plans to expand its Healthy Indiana Plan, which has 40,000 members and has received more than 150,000 applications.
- ▶ Indiana, as well as Georgia, is implementing nursing facility quality enhancement initiatives in FY 2010. Indiana is also one of three states, including New York and Pennsylvania, implementing policies designed to reduce the number of nursing home beds.

Looking ahead to FY 2011, states remain uncertain about the economic recession's continued impact on Medicaid as well as how pending health care reform will affect the program. To access the full survey report, visit www.kff.org/medicaid/7985.cfm. To learn more about Indiana's Medicaid program, visit www.in.gov/fssa. ●

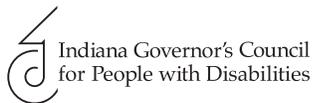
Washington, D.C., advocacy program seeking applicants

Applications are now being accepted for an intensive, year-long Public Policy Fellowship Program in Washington, D.C., designed to help participants develop their leadership and advocacy skills. The Fellowship is a program of the Joseph P. Kennedy Jr. Foundation and is intended to prepare advocates for becoming leaders in their states' public policy arenas.

Participants will live in Washington, D.C., for a full year to actively take part in federal public policy development during the 111th Congress, engaging in activities in congressional members' offices and with congressional committees and federal agencies.

The program is seeking applicants who are professionals in the area of supports and services for people with intellectual and developmental disabilities (IDD), or family members of people with IDD who are currently working or volunteering in the IDD supports and services field.

The deadline to apply is March 5 by 5 p.m. (EST). To learn more about the program and find application requirements and instructions, visit www.jpkf.org.



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Of Note

H1N1 Web page

The Centers for Disease Control and Prevention (CDC) has launched a new Web page to provide H1N1 information specifically focused on people with disabilities. To learn more about H1N1 symptoms, risks and prevention tips for people with disabilities, visit www.cdc.gov/Features/DisabilitiesH1N1/.

Suellen Jackson-Boner
Executive Director

Christine Dahlberg
Deputy Director

Mark your calendars!

The Sixth-Annual Organizational Change Forum — “Employment First! The Audacity of Change” — is scheduled to take place Sept. 22-23 at the Hilton in downtown Indianapolis. This interactive forum will include helpful presentations from leaders in the employment arena at the federal, state and local levels. Attendees will participate in discussions and planning related to policy and systems change, leadership and management, transition and career development, and integrated employment, as well as discussions to develop a National Agenda on Employment First and Organizational Change. For more information, contact Pat Rogan at progan@iupui.edu.

AFP State Team has Web, Facebook pages

The Indiana Alliance for Full Participation (AFP) State Team has created a new Web page to keep interested individuals up-to-date on the team's activities. To access the

page, go to www.iidc.indiana.edu and click on “Indiana Alliance for Full Participation State Team” in the right column. The state team has also started a Facebook page. Use the search box on Facebook, or go to www.facebook.com/pages/Indiana-Alliance-for-Full-Participation-State-Team/168304808253.

Indianapolis hosting 2011 Beep Baseball World Series

Indianapolis has been selected to host the 2011 Beep Baseball World Series, which will include teams from the United States, Taiwan and France. Beep baseball was created in 1964 for athletes with visual impairments. The competitive sport consists of six players in the outfield, while the batter is pitched a beeping ball. When the ball is hit, one of two bases begins to buzz, and the batter runs to that base. Teams will be in Indianapolis for the event July 31-Aug. 7, 2011. For more information about beep baseball, visit www.nbba.org. ●